REMARKS/ARGUMENTS

These remarks are in response to the Office Action dated March 15, 2004. Claims 1-6, 8-13, and 41 are pending in the present application. Claims 14-39 have been previously withdrawn from consideration. Claims 1-6, 8-13, and 41 have been rejected. Claims 1-6, 8-13, and 41 are pending. For the reasons set forth more fully below, Applicant respectfully submits that the claims as presented are allowable. Consequently, reconsideration, allowance, and passage to issue are respectfully requested.

Claim Rejections - 35 U.S.C. §103

The Examiner has stated:

Claims 1-6, 8-13, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kagami et al. in view of Brewer et al. and Official Notice.

Kagami et al. disclose or inherently teach the limitations of the claim 1 (see specifically Fig. 2, and Col. 5, lines 6-41); except the reference lacks the specific teaching of the time frame comprising a range of hours, "notifying an interested party" (the reference only teaches giving "advise to modify"; Col. 5, lines 40-41), and adjusting the corresponding time frame for a particular individual item if the estimated sales projection for the particular item does not exceed a minimum criteria.

Brewer et al. teach an inventory control apparatus whereby inventory can monitored over various selected time frames including hourly time frames (See, for example, Col. 3, lines 35-46).

It would been obvious to one of ordinary skill in the art at the time of the invention to modify Kagami et al. to have the time frame comprise a range of hours, in view of Brewer et al., in order to "produce a highly flexible system tailoring reports to a users requirements" (See Brewer et al., Col. 3, lines 44-46).

Further, it would have been an obvious design choice to one of ordinary skill in the art at the time of the invention to modify Kagami et al. to notify "an interested party", of the advice to modify the inventory control system in order to provide a manager with the necessary information to act on the advice and hence change the system to improve the system's future accuracy.

Further, the Examiner takes Official Notice that it is well known in sales to adjust the corresponding time frame for a particular individual item if the estimated sales projection for the particular individual item does not exceed a minimum criteria. For example, in real estate, an owner of a property has to have his house sold within two weeks due to a job transfer. The real estate agent has been selling houses in the neighborhood within one month on average (thus, the sales projection for this individual item is one month). Because the estimated sales

projection (one every month) does not exceed the minimum criteria set by the owner of two weeks, the real estate agent has to adjust the corresponding time frame for selling the house to two weeks. Of course, in order to sell the house in two weeks, the agent would probably have to increase the demand for the house by either lowering the price or working harder to find more buyers. Thus, this example describes how it is common in everyday business/sales to adjust the corresponding time frame for a particular individual item if the estimated sales projection for the particular individual item does not exceed a minimum criteria. ...

Applicant respectfully disagrees with the Examiner's rejections. For the Examiner's convenience, independent claim 1 is reproduced in its entirety herein below.

Claim 1

1. (previously amended) A computerized method for analyzing inventory information using time frames, the method comprising the steps of:

determining estimated sales projections for individual items, wherein each individual item has a corresponding time frame comprising a range of hours within a particular day;

adjusting the corresponding time frame for a particular individual item if the estimated sales projection for the particular individual item does not exceed a minimum criteria;

collecting sales data for said individual items in said corresponding time frames;

analyzing sales data collected for said individual items in said corresponding time frames with said estimated sales projections for said individual items in said corresponding time frames; and

notifying an interested party or a system shortly after the end of said corresponding time frame upon determination that any items of said individual items in said corresponding time frames have performed unexpectedly versus said estimated sales projections.

The present invention is directed to a method for analyzing inventory information using time frames. In accordance with the present invention, the method comprises determining estimated sales projections for individual items. Each individual item has a corresponding time frame comprising a range of hours within a particular day. The corresponding time frame is adjusted for a particular individual item if the estimated sales projection for the particular individual item does not exceed a minimum criteria. The sales data for the individual items in the corresponding time frames is collected and analyzed with the estimated sales projections for the individual items in the corresponding time frames. Finally, an interested party or a system is

notified shortly after the end of said corresponding time frame upon determination that any items of the individual items in the corresponding time frames have performed unexpectedly versus the estimated sales projections.

The interested party may then take appropriate corrective actions to solve the problem as to why the sales any items performed unexpectedly. By identifying and reporting items that have performed unexpectedly shortly after the end of the particular time frame, problems can be solved quickly and thereby save the retailer the cost of forgone revenue, lost potential for additional business, reduced profit margins, etc. (Summary). Kagami in view of Brewer does not teach or suggest these features, as discussed below.

Kagami discloses an inventory control method that warns against the excess or deficiency of a stock of goods. Kagami groups goods into classes where each class exhibits a similar life cycle or specific character of sale results. The sales results are monitored and compared to the change of sales, which is forecasted using a sales change model pattern of each class. If the accuracy of the forecasted sales is poor, the sales change model pattern is modified and used to determine a stock warning index, which provides information on the excess or deficiency of stock. The inventory control method helps to determine a date to order goods and an amount of goods to order for a particular sale season (Background, Summary, Fig. 2, and column 5, lines 6-41).

Brewer discloses an apparatus that stores stock for retrieval. The apparatus maintains an inventory of the stock contained within and produces an invoice as stock is removed. Reports may be produced regarding stock removed from the apparatus in any time span, where the time

span may be in the last hour, may be the last day, may be the last week, may be the last month, etc. (Abstract and column 3, lines 35-46.)

Applicant agrees with the Examiner the Kagami lacks the specific teaching of the time frame comprising a range of hours. Applicant respectfully submits that Brewer also does not teach or suggest the time frame "comprising **a range of hours with a particular day**," as recited in independent claim 1. The Examiner has referred to column 3, lines 35-46, of Brewer as teaching an inventory control apparatus whereby inventory can be monitored over various selected time frames including hourly time frames. However, the time span of Brewer is not the same as "a range of hours within a particular day" as in the present invention, but is instead a **most recent time period**. Specifically, Brewer defines a time span such that "the span may be in the **last** hour, may be the **last** day, may be the **last** week, maybe the **last** month" (column 3, lines 35-46). Accordingly, if Kagami were to use the time span of Brewer, Kagami would provide information on sales activity during the most recent time period. To remain consistent with Kagami, the time period would be at least the last week, since Kagami provides sales information on a class of goods "**during a sale season**" (column 5, lines 6-41). As is well known, a sale season (e.g., Christmas sale season) typically spans over weeks or months.

Even if a sale season of Kagami were in the last hour (which would not make sense), a time frame "in the last hour" is not the same as a time frame comprising "a range of hours within a particular day," as recited in independent claim 1. Information regarding sales in the last hour would not be useful in monitoring sales activity during certain hours within a particular day (e.g., 12:00 p.m. to 3:30 p.m. on Monday) as with the present invention. A benefit of the present invention, where the corresponding time frame comprises a range of hours within a particular day

is that an interested party such as a store manager can take appropriate corrective actions in real-time to solve the problem of why sales of an item performed unexpectedly during a particular range of hours within a particular day. For example, if sales of an item are less than expected between 12:00 p.m. to 3:30 p.m. on a Monday, the store manager can determine in real-time if the item needs to be placed in a better location, needs to be displayed in a different way, or if the store shelf for the item was empty and more units of the item need to be moved from the warehouse to the store shelf between 12:00 p.m. to 3:30 p.m. on a Monday. Nowhere does Kagami even when combined with Brewer teach these features. Accordingly, Kagami in view of Brewer does not provide this benefit.

Therefore, Kagami in view of Brewer does not teach or suggest the present invention as recited in independent claim 1, and claim 1 is allowable over Kagami in view of Brewer.

Remaining dependent claims

Dependent claims 2-6, 8-13, and 41 depend from independent claim 1. Accordingly, the above-articulated arguments related to independent claim 1 apply with equal force to claims 2-6, 8-13, and 41, which are thus allowable over the cited reference for at least the same reasons as claim 1.

Conclusion

In view of the foregoing, Applicant submits that claims 1-6, 8-13, and 41 are patentable over the cited reference. Applicant, therefore, respectfully requests reconsideration and allowance of the claims as now presented.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, the Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

June 14, 2004
Date

Joseph A. Sawyer, Jr.
Attorney for Applicant(s)
Reg. No. 30,801
(650) 493-4540